

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SOLOMON SHARBAT, : Case No. 10 CV 6455 (SAS)  
SOLOMON CAPITAL, LLC, :  
SOLOMON CAPITAL 401(k) TRUST, :  
SOLOMON SHARBAT, as Trustee of the :  
SOLOMON CAPITAL 401(k) TRUST, :  
Plaintiffs, :  
-against- :  
MARCUS S. BUTLER and :  
MSB GROUP INCORPORATED, :  
Defendants. :  
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SIRS or MADAMS:

PLEASE TAKE NOTICE, that upon the annexed declaration of Scott L. Fenstermaker duly affirmed this 21<sup>st</sup> day of April, the exhibits attached thereto, the annexed declaration of Solomon S. Sharbat duly affirmed the 16<sup>th</sup> day of April, the attached memorandum of law, and the prior proceedings herein, the undersigned will move the United States District Court for the Southern District of New York on the 10<sup>th</sup> day of May, at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an Order granting the following:

- I. Motion for a Judgment of Default in the amount of \$460,000.00 against all defendants, jointly and severally Pursuant to Rule 55 of the Federal Rules of Civil Procedure;
- II. Motion for Attorney's Fees Associated with the Preparation of the Instant Motion for a Default Judgment;
- III. Motion to Reserve Plaintiff's Right to Supplement These Motions or Make Further Motions;

And for such other and further relief as this Court may deem just and proper.

Dated: New York, New York  
April 21, 2011

Yours, etc.

The Law Offices of Scott L. Fenstermaker, P.C.  
Attorney for the Plaintiffs  
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By:



Scott L. Fenstermaker  
Scott L. Fenstermaker, Esq.

TO: Mr. Marcus S. Butler  
801 Downing Street  
Teaneck, New Jersey 07666

MSB Group, Incorporated  
c/o Mr. Marcus S. Butler  
801 Downing Street  
Teaneck, New Jersey 07666

Clerk of the Court  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Chambers of the Honorable Shira A. Scheindlin  
United States District Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007